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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,376	09/08/2003	Takahito Yamamiya	42530-5700	9443
21611	7590	06/01/2006	EXAMINER	
SNELL & WILMER LLP 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626			MORRISON, THOMAS A	
			ART UNIT	PAPER NUMBER
			3653	

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/657,376

Applicant(s)

YAMAMIYA, TAKAHITO

Examiner

Thomas A. Morrison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-11 is/are allowed.
- 6) ☒ Claim(s) 1,3,5-6,12-17 is/are rejected.
- 7) ☒ Claim(s) 2 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 5-6, 12-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites "the side" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites "the long axis" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 12, it is unclear what is meant by the recited "**long** axis" of the second shaft.

Claim 13 recites "the parallel linkage" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites "a second shaft" in line 5. It is unclear if this second shaft is the same or different from the previously recited "a second shaft" in claim 12.

Claim 14 recites "an axis of the second shaft". It is unclear if this axis is the same or different from the previously recited "long axis of the second shaft" in claim 12.

Claim 16 recites "the size" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 16, it is unclear what is meant by the recited “translating unit providing an opening smaller than **the size of the banknote** between the storing position and the holding board member”. Is this the width, length or thickness of the banknote?

Regarding claim 17, it is unclear what is meant by the recited “whereby movement of the driven lever will provide a driving force to the parallel linkage assembly to move the banknote, **will vary** the driving force depending on the amount of banknotes that are already in the banknote safe.” What will vary the driving force?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1, 3 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2002/0175463 (Abe et al.).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

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the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, Figs. 15-25 show a compact driving unit for an automatic banknote receiving and storing unit, including

a chassis (including 201a, 201L and 201R);

a banknote accepting unit (202) for accepting a banknote (b), the banknote accepting unit (202) being mounted in the chassis (including 201a, 201L and 201R);

a safe unit (203) for retaining accepted banknotes (b), the safe unit (203) including a banknote storing section (near 234), the safe unit (203) being mounted within and removable from the chassis (including 201a, 201L and 201R) (see, e.g., numbered paragraph [0066]);

a transporting unit (including 235, 223R, 224R, 229R, 273R, 285, 282, 252R and 253) for moving an accepted banknote (b) from the banknote accepting unit (202) to a position adjacent the banknote storing section (near 234)(i.e., the elements of 235 and element 253 both cause the accepted banknote to move as claimed), the transporting unit having a driving crank (including 229R) with a driver (lower portion of 229R) mounted on the chassis, the transporting unit being mounted within and removable from the chassis (including 201a, 201L and 201R) (see, e.g., Figs. 15, 20 and 21);

a translating unit (including 256), operatively connected to the transporting unit, for non-rotationally displacing a pushing board (256) to move an accepted banknote (b)

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to a position within the banknote storing section (near 234) (see, e.g., Figs. 22 and 24);
and

a driving lever (vertically extending portion to the right of 274R in Fig. 19) for operatively exerting a force on the pushing board (256) of the translating unit (including 256), the driving lever being driven by the transporting unit driving crank and driver (lower portion of 229R).

Regarding claim 3, Figs. 15-25 show that the translating unit (including 256) includes the pushing board (256) and a parallel linkage assembly.

Regarding claim 16, Figs. 15-25 show a banknote safe (including 203) for removable mounting in a banknote receiving and storing unit that receives a banknote and transports the banknote to the banknote safe (including 203) for storage, comprising:

a case member (including 201 and 202) having a receiving slot (202e) for receiving the banknote (b);

a translating unit (including all elements (e.g., 235 and 253) that move the bill from 202e to the position identified by reference numeral 245) in the case member (including 201 and 202) for moving the banknote into the case member from the receiving slot (202e) to a storage position (245);

a holding board member (234) that is biased towards the storing position (245) of the banknote, the translating unit providing an opening (between 256 and 234) smaller

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than the size of the banknote (i.e., smaller than the length of the banknote) between the storing position (245) and the holding board member (234). In other words, the space (245) between element (234) and element (256) is smaller than the length of the bill (b).

Also, there is a pushing board (256) of a size to pass through the translating unit opening to translate the banknote (b) from the storing position (245) towards the holding board member (234); and

a parallel linkage assembly (including 259a and 259b) for moving the pushing board (256) linearly through the translating unit opening to operatively position the banknote (b) against the bias of the holding board (234).

Response to Arguments

3. Applicant's arguments filed 02/21/2006 have been fully considered but they are not persuasive. With regard to the prior art claim rejections, applicant argues, "Attached hereto is a verified English translation of our Japanese Priority Document, along with a certified copy of the priority Document, which establishes a filing date of September 9, 2002 to thereby moot the Abe reference as prior art."

While this perfection of priority overcomes the rejections under 35 U.S.C. 102(a), this priority does not overcome the rejections under 35 U.S.C. 102(e) of the previous Office Action. The filing date of U.S. Patent Publication No. 20020175463 (Abe et al.) is April 25, 2002, which is prior to applicant's filing date of September 9, 2002. Thus, claims 1, 3 and 16 stand rejected under 35 U.S.C. 102(e). Applicant's amendments

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have overcome some of the prior art rejections, as indicated in the Allowable Subject Matter section below.

Allowable Subject Matter

4. Claims 7-11 are allowed. Claims 2 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5-6, 12-15 and 17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

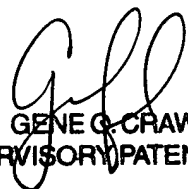
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

05/26/2006


GENE G. CRAWFORD
SUPERVISORY PATENT EXAMINER